**THE HONOURABLE SRI JUSTICE S.ANANDA REDDY**

**WRIT PETITION NO. 18191 OF 2007**

**DATED: 20-09-2007**

**BETWEEN:**

Managing Committee Masjid e Quli Qutub Shahi
And Alamgir, rep. By its President Mohd Yaseen, S/o. Shaikh
Omaid Ali, R/o.Sy.No.65, Khanammeet village,
Serilingampally Mandal, R.R.District.

…Petitioner

and

The A.P.Wakf Board, through its
Chief Executive Officer, having office at
Nampally Road, Hyderabad and
four others

…Respondents

**THE HONOURABLE SRI JUSTICE S.ANANDA REDDY**

**WRIT PETITION NO. 18191 OF 2007**

**ORDER**:

This writ petition is filed by the Managing Committee Masjid e Quli Qutub Shahi and Alamgir, represented by its president seeking a writ of Mandamus to declare the action of the respondents in restraining the Congregants/Muslims from offering prayers five times a day in the Mosque known as Qutub Shahi Alamgiri Masjid on an area of one gunta situated in Sy.No.65 of Khanammet village, Serilingampally Mandal, R.R. District as highly illegal, unconstitutional and violative of provisions of the Constitution of India and consequently direct the respondents not to prevent the Muslims/Congregants from performing the prayers in the mosque referred to above.

2. This writ petition came up for hearing on the earlier occasion and the Government Pleader for Home was directed to get instructions. In view of the representations made on behalf of the

petitioner that the police are obstructing the Muslim community from offering prayers at the mosque, the learned Government Pleader for home represented that already an order of Status Quo was passed in W.P.No.23076 of 2003 and further it is stated that in the same writ petition, the petitioners are claiming to be the owners of the property by virtue of 38-E certificate issued in their favour by the competent authority. It is also stated that with reference to the property in question, during the pendency of the above writ petition a gazette notification was issued by the Government and questioning the said notification, a suit in O.A. is also filed before the Tribunal and the same is stated to be in SR stage (SR No.4040 of 2006).

3. In the light of the above circumstances, the writ petitioner cannot get any relief in the present writ petition. It would be appropriate for him to approach the Wakf Tribunal, where comprehensive proceedings are pending at the instance of contesting party, who claims to be the owner of the property in question.

4. In that view of the matter, the writ petition is disposed of directing the petitioner to seek appropriate remedy from the Wakf Tribunal where the proceedings are pending. No order as to costs.

**S. ANANDA REDDY, J.**

**Dated: 20-09-2007**

**Note:**

Issue Copy within two days.

B/O

Rns